

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

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**IN RE YASMIN AND YAZ (DROSPIRENONE)  
MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

**This Document Relates To:  
ALL CASES**

) **3:09-md-02100-DRH**  
) **MDL No. 2100**  
)  
) ORDER RECOMMENDING  
) TERMINATION OF  
) MULTIDISTRICT LITIGATION  
) KNOWN AS "IN RE YASMIN  
) AND YAZ (DROSPIRENONE)  
) MARKETING, SALES  
) PRACTICES AND PRODUCTS  
) LIABILITY LITIGATION"  
)

**Judge David R. Herndon**

**ORDER RECOMMENDING TERMINATION OF MULTIDISTRICT  
LITIGATION**

On October 1, 2009, the Judicial Panel on Multi-District Litigation assigned MDL No. 2100, *In Re Yasmin and YAZ (Drospirenone) Marketing, Sales Practices and Products Liability Litigation* (hereinafter "MDL" or "Yaz/Yasmin litigation") to the undersigned in the Southern District of Illinois. The majority of claimants alleged VTE injuries, ATE injuries, and gallbladder injuries. A full and intensive discovery and bellwether trial process began immediately following the initial transfer order. Depositions were taken for many relevant corporate witnesses and selected cases were prepared for trial including further completion of case-specific fact discovery and rulings on pre-trial motions. Shortly before the first bellwether trial was slated to begin, a resolution was announced for the VTE cases. Since that

process began, more than 19,000 claims have been resolved litigation wide (all jurisdictions).

Additionally, ATE injury cases were resolved with the Court's guidance through the Voluntary ATE Resolution Program governed by CMOs 76-78 (docs. 3786-3788). Over 1,000 cases were registered and approved for the ATE settlements. Gallbladder injury cases also proceeded on their own bellwether trial and discovery track and most were resolved as part of the Voluntary Gallbladder Resolution Program governed by CMO 60 (doc. 2739). Through the implementation and use of the various resolution programs, there were only a handful of cases out of thousands that were left for remand or transfer to proceed on their own trial schedules. Accordingly, the Plaintiffs' Steering Committee, established to help aid and further common discovery, was recently disbanded via CMO 85 on November 20, 2018 (doc. 4234).

Presently, all but six cases contained in the Yaz MDL have been settled, with five<sup>1</sup> of those six transferred to other districts of agreed upon venue as they were originally direct-filed in this district; the remaining case was remanded with the authority of the JPML.<sup>2</sup> All that remains open in the Southern District of Illinois are four cases that are settled but awaiting lien resolution which will be completed

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<sup>1</sup> Those five cases are: *Carleton Evans, et al. v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:10-cv-11481-DRH (doc. 63); *Courtney Blasius v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:10-cv-10797-DRH (doc. 51); *Ferebee v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:10-cv-13322-DRH (doc. 47); *Karen Hubbard et al., v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:14-cv-10017-DRH (doc. 37); and *Hamilton et al., v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:11-cv-13465-DRH (doc. 118).

<sup>2</sup> *Susan Galinis et al. v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:09-cv-20079-DRH (see docs. 75; 77; 78).

shortly.<sup>3</sup> The undersigned asserts that the MDL need not remain open simply for such ministerial matters. In the current posture, almost all of the monies from the Qualified Settlement fund have been disbursed. Accordingly, the Yaz MDL is in a procedural posture that necessitates termination due to its successful conclusion.

Therefore, this Court recommends the JPML terminate this multidistrict litigation proceeding and the Clerk of Court close this matter, subject to this Court's continuing jurisdiction to enforce its Orders, handle any matters related to the final distributions of the global settlement, or address any other miscellaneous issues necessary to complete the administration of these cases.

**IT IS SO ORDERED.**

  Judge Herndon  
2018.12.18  
12:11:24 -06'00'  
United States District Judge

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<sup>3</sup> Those four settled cases awaiting lien resolution are: *Estelle Pittman v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:11-cv-11581-DRH; *Bonnie Abernathy v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:10-cv-11339-DRH; *Katherine Simpson, et al. v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:14-cv-10033-DRH; and *Lisa Vega v. Bayer Healthcare Pharmaceuticals, Inc., et al.*, 3:11-cv-13258-DRH.